

## **MEETING #26 May 13**

At a Regular Meeting of the Madison County Board of Supervisors on May 13, 2008 at 3:00 p.m. in the Madison County Administrative Center Auditorium:

PRESENT: Eddie Dean, Chairman, Eddie Dean  
James L. Arrington, Vice-Chairman  
William L. Crigler, Member  
Bob Miller, Member  
Clark Powers, Member  
V. R. Shackelford, III, County Attorney.  
Lisa R. Kelley, County Administrator  
Jacqueline S. Frye, Secretary

Chairman, Eddie Dean called the meeting to order and announced that all members are present and a quorum has been established.

### **IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION**

Donald Gore, Resident Engineer, was present and advised that Quinton Elliott, District Administrator, was present for today's meeting.

Donald Gore provided the following report: cleared ditches and trees after strong rains/wind; also had a slide develop on Route 600 which was cleared rather quickly; continuing work on Route 680 – recent issue was resolved; due to begin mowing yesterday but had to postpone because of heavy rains but hope to continue during the upcoming week; the department has hired a vacuum truck to clean pipes – grade-all also being utilized to clear drainage – Madison County should be on the list to have this work done after trees are cleaned up after the recent storm; Route 642 is still on December 2008 ad; recent fly-over was done in order to design drainage and storm water management on the roadway – he doesn't anticipate any changes on the ad date.

Donald Gore stated there has been discussion about several accidents occurring at the intersection of Route 230, Route 231, and Route 687 – speed limit reduced in that area (16/100 of a mile west to 49/100 of a mile east) to 45 mph in that area; work on Route 702 (Larkins Mill Road) is being worked on (weather permitting); paving schedule is starting a little later this year than in the past, as will be the same for surface treatment and plant mix schedules.

In closing, Donald Gore advised the Public Hearing on the Six Year Road Improvement Plan will take place tonight at 7:30 p.m. during the evening session.

William L. Crigler asked if the vacuum truck will take all debris to the Madison Transfer Station.

Donald Gore advised that he was unsure.

James L. Arrington asked when renovations will begin on the bridge on Route 29.

Donald Gore stated he believed there are some problems being encountered with the materials; he feels that work will begin within the next three (3) to four (4) weeks.

### **IN RE: PAYROLL & CLAIMS**

Chairman, Eddie Dean asked if there were any concerns about the Payroll & Claims Report as presented.

After discussion, on motion of Bob Miller, seconded by Clark Powers, the warrants issued in satisfaction of payroll for April 2008 (Checks #30110310 through #30110318 and electronic transfer #10, are hereby approved, with the following vote recorded:

|                    |     |
|--------------------|-----|
| Eddie Dean         | Aye |
| James L. Arrington | Aye |
| William L. Crigler | Aye |
| Bob Miller         | Aye |
| Clark Powers       | Aye |

On motion of Bob Miller, seconded by Clark Powers, the warrants issued in satisfaction of claims against the County for April 2008 (Checks 10127601 through #10127903) are hereby approved, with the following vote recorded:

|                    |     |
|--------------------|-----|
| Eddie Dean         | Aye |
| James L. Arrington | Aye |
| William L. Crigler | Aye |
| Bob Miller         | Aye |
| Clark Powers       | Aye |

### **IN RE: SUPPLEMENTAL APPROPRIATIONS FOR MAY 2008**

Chairman, Eddie Dean stated the following supplemental appropriations for May 2008 will need to be approved by the Board.

1. Park & Recreation Funds deposited for Youth Sports \$ 13,546.47  
#5690-71100

|    |  |   |              |
|----|--|---|--------------|
| 2. | Park & Recreation<br>#5690-71100                   | Funds Deposited for Health Fitness                                | \$ 279.00    |
| 3. | Sheriff<br>#5690-71100                             | Reimbursement for Tow Bill &<br>Storage                           | \$ 150.00    |
| 4. | Commonwealth Atty.<br>#1545/2100 Salaries/<br>FICA | Grant Proceeds rec'd from state<br>State for Asst. Comm. Atty.    | \$ 21,056.35 |
| 5. | Main Street Project<br>#5895-81200                 | Supplement Needed to Balance<br>Department                        | \$ 292.00    |
| 6. | Mad. Rescue Squad<br>#32300-5642                   | Additional Reimbursement from<br>State for the 4 for Life Program | \$ 9,156.16  |

**Total of all Supplements:     \$44,479.98**

After discussion, on motion of James L. Arrington, seconded by William L. Crigler, the Board approved the supplemental appropriations in the amount of **\$44,479.98** with the following vote recorded:

|                    |     |
|--------------------|-----|
| Eddie Dean         | Aye |
| James L. Arrington | Aye |
| William L. Crigler | Aye |
| Bob Miller         | Aye |
| Clark Powers       | Aye |

Chairman, Eddie Dean asked if the HUD and enhancement project were closed out.

Lisa Kelley, County Administrator, advised that neither project is completely closed out to date, but very close; she stated that a drawdown request was sent to the State of Virginia; however, no response has been received to date.

Teresa Miller, Finance Director, reminded the Board that the Public Hearing on the tax levy has been scheduled for Monday, June 16, 2008 at 7:30 p.m.; she also stated the second Public Hearing on the 2008-2009 Budget must be scheduled the same evening either at 7:00 p.m. or 8:00 p.m. – both meetings cannot be held at the same time.

V. R. Shackelford, III, County Attorney, strongly suggested the Board hold the Public Hearing on the 2008-2009 budget before discussing the rate, as citizens might want to have knowledge as to what the proposed rate is going to possibly be.

After discussion, the Board noted it would be impossible to hold a public hearing on the proposed 2008-2009 budget within just thirty (30) minutes; therefore, it was decided to advertise the public hearing for the 2008-2009 budget at 6:30 p.m. to be followed by the public hearing on the tax levy at 7:30 p.m. on Monday, June 16, 2008.

what the proposed rate might be.

#### **IN RE: MADISON COUNTY SCHOOLS**

Brenda Tanner, Superintendent, was present and stated that graduation has been scheduled for Saturday, June 7, 2008 @ 10:00 a.m. in the gymnasium of William Wetsel Middle School; she also advised that a notice will be emailed of all end-of-the-year events; also stated that a Forensics showcase will be held tomorrow night to recognize the debate team – a band concert has also been scheduled for Monday, May 19, 2008 @ 7:00 p.m. in the auditorium of the Madison County High School; also stated last night's meeting focused on the art show that recognized the student's artwork; also focused on some of the federally funded applications which are coming due and must be submitted within the next month; also looking to establish meal prices and out-of-district tuition; also working to apply for a state grant for \$10,000.00 that comes from the Association of Supervision & Curriculum Development (competitive grant) and she is hoping this funding can be attained to help associate some of the work for curriculum and development for the next school year. In closing, she advised that SOL testing began today and will continue through the end of May 2008 and also stated there has been coordination with the Young Farmer's in an effort to have work done on the roadway as soon as possible in order not to interfere with the upcoming fair.

James L. Arrington stated it has been rumored the summer school program will be cancelled for this year.

Dr. Tanner stated the summer programs will be cut in lieu of the 08-09 budget not being approved until the end of June 2008 – this delay will not allow ample time to employ teachers for the program, coordinate a bus schedule, and what programs can be offered; she stated a transitional program will be in place for 9<sup>th</sup> graders during June; however, the usual programs that are normally offered in July will not be held due to there not being enough prep time.

James L. Arrington stated he has concerns about this decision as it was the impression of the Madison County Board of Supervisors that proposed level funding was already made known to the school district.

Dr. Tanner stated that based on level funding, reduction in the state/federal funding, all programs cannot be supported; additionally, she also stated although it is difficult not to have the summer school program, it is deemed to be more important to have the teachers in the classroom.

James L. Arrington suggested this concern be discussed during the Joint Meeting on May 20, 2008 between the Madison County Board of Supervisors and the Madison County School Board.

Dr. Tanner also advised the meeting venue has been changed to the Library at the Wetsel Middle School instead of the Madison County School Board Office.

Lisa Kelley, County Administrator, asked if the School's original budget already denoted a reduction in teacher salaries for the summer school program?

Dr. Tanner stated this was an actual; however, it was noted there was a deficit budget and costs for the summer school program are based upon annual enrollment; therefore an adjustment is made based upon enrollment for the previous year.

James L. Arrington asked if a final decision has been made, to which Dr. Tanner stated "yes – a decision had to be made in order to employ ample teachers and bus drivers for the program."

#### **IN RE: MADISON FACILITIES & MAINTENANCE:**

Ross, Shifflett, Director of Facilities & Maintenance, was present and presented a monthly report to the Board; he also advised the mulch pile what was ablaze has been safely relocated – he thanked the Madison Co. Volunteer Fire Department of assisting; he also advised the Tour de Madison will be held on Saturday, May 17, 2008 – event will begin @ 9:00 a.m. after 8:00 a.m. breakfast is served – assistance will be provided by the Madison County Band Boosters, the Madison County 4-H Group, and the Boy Scouts.

James L. Arrington asked about the resignation from Mr. Banks, to which Ross Shifflett stated Mr. Banks has a side business and his new position will allow him

time to restructure his current work schedule; he also stated that Mr. Banks was a tremendous asset to the County.

Chairman, Eddie Dean stated there have been concerns verbalized regarding the recycling of plastics.

Ross Shifflett provided an overview of the recycling of plastics; have also contacted representatives from Sonoco about looking and moving forward with recycling plastics. He advised that a large volume of plastics is necessary in order to make this project beneficial (level 1 and level 2) - he also explained what equipment would be needed in order to accommodate a good tonnage of plastics; the most viable option at this time will consist of combining mixed plastics (level 1 and level 2) for recycling; will also investigate to see the average cost to pack and haul the plastics – will be hearing back from Ms. Schwab (Sonoco) shortly. In closing, he stated that he will provide further information as he continues to converse with the representative from Sonoco and provide further analysis as to what surrounding Counties are doing in order to determine which effort will be the most beneficial for Madison County. He also stated that some local recycling companies will pay consumers for certain recyclable items.

Bob Miller thanked Ross Shifflett for his time and effort in investigating the issue.

#### **IN RE: MADISON DEPARTMENT OF SOCIAL SERVICES**

Nan Coppedge, Director of Social Services, was present and stated that invitations were sent to the “community conversation” scheduled for May 29, 2008; she also stated that as economic times are becoming more demanding, numbers are increasing for food stamp applications (increased by \$4,000.00 since March 2008); TANF program cases has increased to (36) cases since March 2008; Boys & Girls club now has (56) children enrolled) – average about (24) kids daily participating in the program.

#### **IN RE: MADISON E-911 CENTER**

Robert Finks, E-911 Coordinator, provided the following report for the month of April 2008 – second page of the report lists the actual incoming/outgoing calls to the E911 dispatch center – 8,375 calls during the month of April 2008: (482) 911 calls;

(301) were from home phones; (181) from cell phone; (22) hang-ups; (7) misdials; (5) open lines; and (26) alarm calls.

Robert Finks also stated the total number of calls comes from a variety of sources (i.e. Sheriff's Department, Animal Control, 911 calls, Social Services, etc.)

James L. Arrington asked if there was a capacity limitation at the existing 911 Center before any upgrades will be required for the circuitry.

Robert Finks stated the center is currently in good shape – there are ample lines to handle the current call volume (8 – 911 lines).

Bob Miller asked if the report only denotes the first call received when there is a report of an accident.

Robert Finks stated the report denotes each call received (to include multiple cellular calls to report any incidents) – even though there are multiple calls for any single accident, this is still a call that is answered by 911 personnel in the dispatch center; therefore, each call is catalogued.

## **IN RE: EMERGENCY MANAGEMENT SERVICES**

Carl Pumphrey, EMS Coordinator, provided a report of all activities for the month of April 2008.

William L. Crigler asked if a meeting is scheduled for the Madison County Emergency Advisory Committee this month, to which Carl Pumphrey stated was scheduled for Friday.

## **IN RE: MADISON EMERGENCY MEDICAL SERVICES**

Lewis Jenkins, EMS Coordinator, provided the following report for April 2008:

1. Total Calls toned: 82
2. Total calls handled: 70
3. Total calls no response (12) [(11) Greene; (1) Orange for mutual aide assistance were not answered due to no available staff)
4. Average in-County response time to the scene: (8) minutes
5. Night coverage: Eleven hours of night coverage on (14) nights
6. Total calls handled: 16

Lewis Jenkins stated that volumes are down just a bit, but this is the norm based on past years data; hand-on training and lecture in scene safety awareness was provided by Bob Melady (RN from UVA Emergency Department); assisted SADD with their mock car crash at the Madison County High School; continuing to participate in the intermediate program at UVA and PVCC; included other documents (spreadsheet) that provide data and graphs to show overall call volume for longer periods of time and by location(s) within Madison County – this data is for Madison EMS only and does not include the volunteer members.

William L. Crigler asked if there was any specific reason for the increased calls as the County's population has shown no significant growth.

Lewis Jenkins stated he felt the increase was due to the change in staffing and coverage (i.e. additional crews for days, nights, weekends, and the additional vehicles).

#### **IN RE: MADISON SHERIFF'S DEPARTMENT**

Erik Weaver, Sheriff, provided the following report for April 2008:

- |    |                       |         |
|----|-----------------------|---------|
| 1. | Calls for Service:    | 898     |
| 2. | Criminal Arrests:     | 36      |
| 3. | Civic Process Served: | 346     |
| 4. | Days in Court:        | 13      |
| 5. | Animal Control Calls: | 110     |
| 6. | Court fees (paid):    | \$3,600 |
| 7. | Highway Safety Funds: | \$7,800 |

Erik Weaver, Sheriff, stated he has been working with Ross Shifflett, Director of Facilities & Maintenance, with regard to the leaking roof at the Sheriff's building and wanted to make sure the County has ample insurance on equipment that is housed in the area of the leak (i.e. live-scanner and breathalyzer) – representatives continue to guarantee there will be no leaks, but there are.

Chairman, Eddie Dean asked about the guarantee, to which Ross Shifflett, questioned such.



Erik Weaver, Sheriff, stated he went to the James Building today and everything looks great; however, there was no door installed on the front of the sally port so there will be no way to separate prisoners from the public during delivery; therefore, a retractable door will be sought to accommodate. In closing, he stated the supreme justice will come inspect the building shortly.

Chairman, Eddie Dean stated the court services are scheduled to move in June-July 2008.

Lisa Kelley, County Administrator, advised she will look into the issue.

Bob Miller stated that a private citizen has contacted the Board and stated they are closing a business office; therefore, they are making a large quantity of computer/office equipment (Dell) available to Madison County – Lisa Kelley, County Administrator, will look into the offer and provide details to various County offices.

Erik Weaver, Sheriff, stated that two (2) grants were received to purchase bike safety helmets for children (age 4 through 12) – also received a grant through State Farm to attain child-safety seats (car seats and booster seats) – there are now (3) personnel who are certified to inspect child safety seats. In closing, he anticipates this is something that will be initiated within the County every quarter.

#### **IN RE: MADISON VOLUNTEER RESCUE SQUAD**

William L. Crigler read the following report for the Madison Volunteer Rescue Squad for March 2008:

46 patient emergencies  
 3 dispatched – cancelled  
 5 refusals  
 2 mutual aides Greene County – (unable to respond, 1 transport)  
 2 standby  
1 public service  
 59 total calls dispatched

#### **IN RE: PUBLIC COMMENT**

Sandra O'Brien was present and verbalized concerns about the County's Animal Control Ordinance; she stated she has a neighbor who has fowl (guinea hens), goats, donkeys and dogs. She stated there are about (36) guinea hens who continuously come over to roost at her property and defecate on her premises; she stated the neighbors do not have their fowl under any type of control and she feels she has been forced to look

after the birds as they prefer their property over their landowner. Additionally, she questioned her rights as a taxpayer and stated she was told (by Animal Control) there was no problem with goats or other agricultural animals as there were guidelines in the Animal Control Ordinance to deal with these types of animals; however, there are no guidelines in place to cover guinea hens. She advised that her land is fenced in and there should be some guidelines in place to protect property owners from such situations. In closing, she asked if there was anything that could be done in Madison County to ward off such situations in the future.

V. R. Shackelford, III, County Attorney, stated there is a section in Virginia Code (Section 55-202) that deals with “estrays” (animals that stray onto property not belonging to their rightful owner); - he stated this is an antiquated code section that provides a legal remedy that denotes the property owner can take possession of the animal(s); and the property owner can have the animal’s value assessed; the rightful property owner will then have to pay in order to retrieve ownership of the animal(s).

Sandra O’Brien asked if an individual was limited to certain means of containing any animal, to which V. R. Shackelford, III, County Attorney, stated the animal must be alive while being taken into possession; he advised there is a process during which time the animal is evaluated and the landowner may repossess his animal(s).

#### **IN RE: SHENANDOAH NATIONAL PARK (Chas Cartwright)**

Chas Cartwright of the Shenandoah National Park was present and advised there are concerns that have been ongoing within the Shenandoah National Park regarding Old Rag Mountain. He referenced an environmental assessment done in the park with reference to construct a parking lot. He stated the process was re-initiated and it has taken about 1.5 years to compile a new environmental assessment – the comment period is open through May 27, 2008 and there have been several meetings during which time residents from various neighborhoods attended to discuss the process. He also stated there were members from the hiking community and others who assisting is developing the following alternatives:

- 1) The “no action” alternative which will call for continuing to lease the lot from the Lillard family (recently re-negotiated a 10-year lease);

- 2) To close the upper lot (at the end of the road) to build a new lot on that piece of land that is owned by the Potomac Appalachian Trail Club
- 3) Environmentally preferred alternative derived from a specific comment from someone who resides in the area.

Chas Cartwright continued to provide an overview of the proposed lot and added that in order to protect the resources, it was determined the largest lot that could be constructed on the parcel will include 140-160 spaces; however, alternative 3 called for a termination of the lease and set up a reservation system for anyone wishing to climb Old Rag – this would apparently present a significant reduction in the number of citizens who enjoy the climb on Old Rag Mountain.

Chas Cartwright stated in the past several years, the use rate at the site has been relatively stable, and yet, the season of use seems to be spreading out (rarely a time when citizens are climbing the mountain). He stated he feels there will be a slight increase in the number of citizens climbing during the weekdays as well.

Chas Cartwright stated there are a reasonable range of alternatives; although he did not characterize the sentiments of those citizens that reside within the locality, but feels that Choice 1 or 3 stated above will provide less impact on the site. Additionally, he advised the Madison County Board of Supervisors that any comments or suggestions are more than welcome with reference to the aforementioned issue. He also stated he hoped that once the Madison County Board of Supervisors had the opportunity to review the EA, it would be perceived to be very detailed in the analysis and in terms of looking at other alternatives. Furthermore, he also stated there were some individuals who felt climbing from the base of Old Rag Mountain should be discontinued and climbers should be required to climb from Skyline Drive – this did not appear to be a reasonable option due to the distance involved; opportunities have also been discussed with V. R. Shackelford, III, County Attorney.

Clark Powers asked if the Shenandoah National Park would consider buying land from the Lillard's, to which Chas Cartwright stated he could see a future lease being in place, but the purchase of land isn't a viable option at the present time.

William L. Crigler asked if there was a "reservation system" in place in

other areas, to which Chas Cartwright provided specifics of this type of system – he stated this type of system is easy to use, understand, and can be advertised through all types of medium.

Chas Cartwright asked the Board to consider if they feel a reservation system is a viable option – he feels that more people would probably like to maintain the existing use; however, the question is whether the system could actually work with a concerted effort and he feels that it can.

William L. Crigler verbalized concerns pertaining the reservation system and about Phase I and Phase II of the original plan.

Chas Cartwright stated the aforementioned options are being considered, (i.e. building 120-160 parking spaces); although funds are not readily available for such an effort, he is more concerned about having a well thought out environmental assessment prior to having anything else in place; there is no desire to build a lot that does not coincide with the existing landscape.

Bob Miller commented on the presentation and stated an issue of concern regarding the quality of the experience (the climb) and he also believes there are still some citizens that climb from the top down as well; he also verbalized the usage will be limited no matter what type of lot is built (i.e. as accommodated by [160] parking spaces in the lot).

Chas Cartwright stated there has been a social science study to determine the carrying capacity on the mountain and the results were surprising; he stated this is part of the designated wilderness in the park although this is wilderness that is managed as more of a “threshold experience.” He stated when citizens were asked for their views, those who climb Old Rag don’t have expectations of “being the only one on the mountain” – he stated when he climbs, he does so before daybreak; however, the overall response from the public was that many didn’t express a concern of there being too many people; therefore, there was concern whether the impact at the site were acceptable. He advised that he believes the trail is in very good condition and doesn’t see any amount of huge wear/tear; however, he advised that he does see some wear/tear is on the summit in terms of loss soil, vegetation and lichen on the rocks and precautionary measures are being taken to reduce the impact of said activities.

In closing, Chas Cartwright advised that numbers may increase based on keeping the existing parking lot in tact at 262 spaces – he feels things will fill in during the busy season and will also expand during the slower seasons. Actually, he feels things will start filling in more; however, the expectations are quite a bit different from what representatives at the Shenandoah National Park thought. He stated that has been a decline in visitation at the site; however, one of the primary attractions is the climb at Old Rag Mountain, therefore, he feels efforts should be made in order to bring people back into the park rather than curtail visits.

Finally, Chas Cartwright advised that he will be heading to Glacier Park in about three (3) weeks; he thanked the Board for their support and for the opportunity to live and work amongst the folks in Madison County; he advised that Trish Kicklighter (Acting Deputy-Superintendent) will be the Acting Superintendent in the interim.

Chairman, Eddie Dean thanked Chas Cartwright for attending today's session and also for the assistance he has provided to the citizens of Madison County.

**IN RE: MUSIC/FESTIVAL/ENTERTAINMENT PERMIT (Request by Graves)**

Chairman, Eddie Dean stated that two (2) applications from Graves Mountain Lodge for entertainment events during May 29<sup>th</sup> through May 31<sup>st</sup> and July 20<sup>th</sup>, 2008.

Lisa Kelley, County Administrator, advised that all appropriate County personnel have signed off on the permits being presented tonight.

After discussion, on motion of James L. Arrington, seconded by Clark Powers, the Board approved the aforementioned music/festival/entertainment permits as presented by Graves Mountain Lodge for the times denoted, with the following vote recorded:

|                    |     |
|--------------------|-----|
| Eddie Dean         | Aye |
| James L. Arrington | Aye |
| William L. Crigler | Aye |
| Bob Miller         | Aye |
| Clark Powers       | Aye |

**IN RE: GERMANNA COMMUNITY COLLEGE BOARD (Reappointment)**

Chairman, Eddie Dean stated the Board has been given a Resolution

to reappoint Cynthia Jill Johnson to the Germanna Community College Board as a representative for Madison County for a four-year term.

James L. Arrington commented that it doesn't appear the County's representative is doing a lot within the community in terms of increasing enrollment at Germanna Community College.

Chairman, Eddie Dean advised there are three (3) separate sites with the location in Culpeper County being for technology only.

William L. Crigler suggested these concerns don't appear to be with the County's representative, but might be due to the college not being promoted by the Guidance Counselor(s) in the school system; therefore, he suggested this concern be presented to the representative.

Chairman, Eddie Dean expressed his views regarding the aforementioned topic and stated there are probably a number of scholarships available to the youth of Madison County that are probably not fully utilized; however, he stated this is something that no one (i.e. representative, Guidance Counselor) can fully change as most youth have different ideas about what college to attend. In closing, he stated that he believes the existing representatives are very active in trying to promote Madison's youth to enroll at Germanna.

After discussion, on motion of William L. Crigler, seconded by Bob Miller, the Board adopted the Resolution appointing Cynthia Jill Johnson to the Germanna Community College Board for a four-year term,

**RESOLUTION  
REAPPOINTING A MEMBER OF  
THE GERMANNA COMMUNITY COLLEGE BOARD**

**WHEREAS**, the term of Cynthia Jill Johnson on the Germanna Community College Board will expire June 30, 2008, and Ms. Johnson is eligible for one additional four-year term and has indicated a willingness to serve that additional term; and

**WHEREAS**, although Ms. Johnson may continue to serve until reappointed or replaced, it is necessary for the Board of Supervisors to formally make a reappointment for the new term;

**NOW, THEREFORE**, the Board of Supervisors does hereby reappointment Cynthia Jill Johnson to serve on the Germanna Community College Board, for the term indicated below:

| <u>Member</u>        | <u>Term Expires</u> |
|----------------------|---------------------|
| Cynthia Jill Johnson | June 30, 2012       |

ADOPTED this 13<sup>th</sup> day of May, 2008, by the Board of Supervisors of Madison County

\_\_\_\_\_  
Eddie Dean, Chairman

|                    | Aye      | Nay   | Abstain | Absent |
|--------------------|----------|-------|---------|--------|
| Eddie Dean         | <u>x</u> | _____ | _____   | _____  |
| James L. Arrington | <u>x</u> | _____ | _____   | _____  |
| William L. Crigler | <u>x</u> | _____ | _____   | _____  |
| Bob Miller         | <u>x</u> | _____ | _____   | _____  |
| Clark Powers       | <u>x</u> | _____ | _____   | _____  |

Attest:

\_\_\_\_\_  
Lisa Kelley, County Administrator/Clerk to the Board

with the following vote recorded:

|                    |     |
|--------------------|-----|
| Eddie Dean         | Aye |
| James L. Arrington | Aye |
| William L. Crigler | Aye |
| Bob Miller         | Aye |
| Clark Powers       | Aye |

**IN RE: BOARD OF SOCIAL SERVICES BOARD (Reappointment)**

Chairman, Eddie Dean Chairman, Eddie Dean stated the Board has been given a Resolution to reappoint two (2) members to Madison County's local Board of Social Services, Lisa R. Kelley and Michael D. Hale, as representatives for Madison County for a four-year term.

**RESOLUTION  
REAPPOINTING MEMBERS OF MADISON COUNTY'S  
LOCAL BOARD OF SOCIAL SERVICES**

**WHEREAS**, the terms of Lisa R. Kelley and Michael D. Hale of the Madison Local Board of Social Services will expire June 30, 2008, and each of these members is eligible for one additional four-year term and has indicated a willingness to serve that additional term; and

**WHEREAS**, although each member is authorized to continue serving until reappointed or replaced, it is necessary for the Board of Supervisors to formally make a reappointment for the new terms;

**NOW, THEREFORE**, the Board of Supervisors does hereby reappoint the following individuals to serve on the local Board of Social Services, for the terms indicated below:

| <u><b>Member</b></u> | <u><b>Term Expires</b></u> |
|----------------------|----------------------------|
| Lisa R. Kelley       | June 30, 2012              |
| Michael D. Hale      | June 30, 2012              |

ADOPTED this 13<sup>th</sup> day of May, 2008, by the Board of Supervisors of Madison County

\_\_\_\_\_  
Eddie Dean, Chairman

|                    | Aye          | Nay   | Abstain | Absent |
|--------------------|--------------|-------|---------|--------|
| Eddie Dean         | <u>  x  </u> | _____ | _____   | _____  |
| James L. Arrington | <u>  x  </u> | _____ | _____   | _____  |
| William L. Crigler | <u>  x  </u> | _____ | _____   | _____  |
| Bob Miller         | <u>  x  </u> | _____ | _____   | _____  |
| Clark Powers       | <u>  x  </u> | _____ | _____   | _____  |

Attest:

\_\_\_\_\_  
Lisa Kelley, County Administrator/Clerk to the Board

with the following vote recorded:

|                    |     |
|--------------------|-----|
| Eddie Dean         | Aye |
| James L. Arrington | Aye |
| William L. Crigler | Aye |
| Bob Miller         | Aye |
| Clark Powers       | Aye |



**IN RE: MADISON COUNTY FAIR BOARD (Request waiver of transfer fees)**

Lisa Kelley, County Administrator, advised that a letter has been received from the Madison County Fair Board requesting that all transfer fees be waived during the week of July 15<sup>th</sup> through 19<sup>th</sup>, 2008.

Lisa Kelley, County Administrator, also advised that Ross Shifflett, Director of Facilities & Maintenance, is working with the representatives of the Fair Board on this request.

Bob Miller questioned whether containers are utilized to recycle items at the fair; if not, he strongly suggested this be done to determine the level of tonnage that is generated from the event.

After discussion, on motion of Bob Miller, seconded by William L. Crigler, the Board approved to waive all transfer fees as requested by the Madison County Fair Board during the week of July 15<sup>th</sup> through 19<sup>th</sup>, 2008, subject to include that next's year proposal include a recycling option, with the following vote recorded:

|                    |     |
|--------------------|-----|
| Eddie Dean         | Aye |
| James L. Arrington | Aye |
| William L. Crigler | Aye |
| Bob Miller         | Aye |
| Clark Powers       | Aye |

Chairman, Eddie Dean also suggested that Ross Shifflett, Director of Facilities & Maintenance, monitor this situation in order to provide an analysis of the amount of debris that fees are being waived for.

**IN RE: MADISON COUNTY YOUNG FARMERS (Request to waive building fees)**

Lisa Kelley, County Administrator, stated that a request has been received from Brad Jarvis, Extension Agent, on behalf of the FFA/Madison County Young Farmer's to request that all building fees be waived while renovations are being implemented to the concession stand on the grounds.

After discussion, on motion of Bob Miller, seconded by James L. Arrington, the Board approved to waive all building feels for the Madison County Young Farmers during the renovation of the concession stand at the grounds, with the following vote recorded:

|                    |     |
|--------------------|-----|
| Eddie Dean         | Aye |
| James L. Arrington | Aye |

|                    |     |
|--------------------|-----|
| William L. Crigler | Aye |
| Bob Miller         | Aye |
| Clark Powers       | Aye |

## **IN RE: COMMITTEE REPORTS**

### **NEW BUSINESS**

Lisa Kelley, County Administrator, advised the County was contacted recently by people interested in attaining an FCC radio station in the community- this station will broadcast a twenty-four hours new format and increase the level of local news in Madison County and surrounding localities; the interested party (ies) have asked that Madison County provide a letter of support for the application. She also stated that coverage is supposed to include the Rappahannock Watershed area (i.e. Rappahannock, Culpeper, Fauquier, Madison, and Stafford).

In closing, Lisa Kelley, County Administrator, stated the application is in the name of Verdon Adventure Bound located in Rixeyville, Virginia, and is a non-profit organization. She also stated the representation being made by the applicant includes this will be a broadcast station that will provide in-depth, local news, including coverage of the Board's meetings, and also emphasize local activities, the same as used to be provided by the local station in Orange, Virginia.

After discussion, the Board concluded there were no objections to having Lisa Kelley, County Administrator, prepare a letter on to support the aforementioned application.

## **IN RE: CENTRAL VIRGINIA REGIONAL JAIL**

Lisa Kelley, County Administrator, advised that Glenn Aylor, Superintendent of the Central Virginia Regional Jail, is organization a presentation on the capital expansion objectives/needs of the facility; he'd like to coordinate a time for a presentation to be conducted by representatives of Robinson, Farmer, Cox Associates with reference to financial projections – he has requested the meeting include all County Administrators, Board Chairman, and an additional member of each Board. The date scheduled for this meeting is July 10, 2008 at 6:00 p.m. in Orange, Virginia.

In closing, Lisa, Kelley, County Administrator, advised that she wanted to make each Board member aware of the meeting.

**IN RE: FARMER'S MARKET**

Beth Pastore was present and thanked the Madison County Board of Supervisors for their support of the local Farmer's Market on behalf of the Piedmont Environmental Council.

**IN RE: GREENE COUNTY (Support of CVRJ)**

Chairman, Eddie Dean provided an overview of the previous discussion at the Jail Board meeting with regard to Greene County; he stated the Jail Board agreed for the Jail to pick up fifty percent (50%) of all funding provided by Counties and will see if Greene County can provide an \$8,000 difference in funding.

Chairman, Eddie Dean stated the change in funding requirements has saved Madison County about \$5,000.00.

In closing, Chairman, Eddie Dean stated when the State of Virginia cut funding, the portion cut was according to the number of prisoners from each locality that utilizes the Central Virginia Regional Jail – Madison County's decrease was about ten percent (10%); therefore, an agreement has been attained on behalf of the Jail Board.

William L. Crigler verbalized concerns as to what type of scenario would take place in the event any locality was unable to fund their portion.

Chairman, Eddie Dean stated there seemed to be a consensus the final funding adjustment would eliminate any prior problems.

**IN RE: ALLEGHENY ENERGY**

Chairman, Eddie Dean stated he received a letter from Allegheny Energy referencing a proposed rate increase; he stated this type of correspondence was received in the past and the Virginia Corporation Commission put a freeze on the proposed increase; therefore, he strongly suggested the County follow the same procedures as implemented during the last year.

Chairman, Eddie Dean stated the Board will need to go into Closed Session to discuss legal matters.

V. R. Shackelford, III, County Attorney, stated the legal matter regarding the Kim Property (subdivision in Syria that involved a boundary line adjustment) which lead to an amendment; however, the suit has been heard and no claim has been founded;

therefore the case is temporarily off the docket; however, the applicant has the opportunity to re-file.

#### **IN RE: MINUTES**

Chairman, Eddie Dean advised that Minutes #14, #15, #16, #17, #18 and #19 of previous meetings will need to be approved.

After discussion, on motion James L. Arrington, seconded by Clark Powers, Minutes #14, #15, #16, #17, #18, and #19 were approved as presented and spread in Minute Book #17, page through page, with the following vote recorded:

|                    |         |
|--------------------|---------|
| Eddie Dean         | Aye     |
| James L. Arrington | Aye     |
| William L. Crigler | Aye     |
| Bob Miller         | Aye     |
| Clark Powers       | Abstain |

#### **IN RE: CLOSED MEETING**

On motion of William L. Crigler, seconded by James Arrington, the Board voted to go into a closed meeting to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act – this subject and purpose falls within the following exemption: Virginia Code §2.2-3711(A)(7) Consultation with Legal Counsel Pertaining to Litigation Between Sheriff Erik Weaver and Leigh Purdum, with the following vote was recorded:

|                    |     |
|--------------------|-----|
| Eddie Dean         | Aye |
| James L. Arrington | Aye |
| William L. Crigler | Aye |
| Bob Miller         | Aye |
| Clark Powers       | Aye |

On motion of Clark Powers, seconded by James L. Arrington, the Board voted to reconvene in open session, with the following vote recorded:

|                    |     |
|--------------------|-----|
| Eddie Dean         | Aye |
| James L. Arrington | Aye |
| William L. Crigler | Aye |
| Bob Miller         | Aye |
| Clark Powers       | Aye |

On motion of Bob Miller, seconded by James L. Arrington, the Board voted to certify, pursuant to Va. Code §2.2-3712, that only matters specifically exempted from the

open meeting requirements of the Freedom of Information Act, as identified in the motion by which the closed meeting was convened, were heard, discussed or considered in the closed session. The following vote was recorded:

|                    |     |
|--------------------|-----|
| Eddie Dean         | Aye |
| James L. Arrington | Aye |
| William L. Crigler | Aye |
| Bob Miller         | Aye |
| Clark Powers       | Aye |

MOTION: Bob Miller

RESOLUTION NO: 2008-7

SECOND: James L. Arrington

MEETING DATE: May 13, 2008

#### CERTIFICATION OF CLOSED MEETING

WHEREAS, the Madison County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, 2.2-3712 of the Code of Virginia requires a certification by the Madison County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the members of the Madison County Board of Supervisors hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Madison County Board of Supervisors.

#### VOTE

AYES, Eddie Dean, James L. Arrington, William L. Crigler, Bob Miller, Clark Powers

ABSTAIN: None

NAYS: None

ABSENT DURING VOTE: None

ABSENT DURING MEETING: None

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Clerk/Secretary of the Madison County Board of Supervisors

\*No action was taken as a result of Closed Session.

Chairman, Eddie Dean recessed the meeting until 7:30 p.m.

\*\*\*\*\*

**7:30 P.M.: Meeting reconvened with Chairman, Eddie Dean calling the meeting to order and noted that all Board members are present.**

**IN RE: MADISON PARKS & RECREATION (Presentation)**

Jeff Tucker, Chairman of the Madison County Parks & Recreation Authority, was present along with J. T. Price, Mark Ford, Gary Wise and Ross Shifflett.

Jeff Tucker verbalized his appreciation for having the opportunity to participate in Madison Youth Sports during his youth and also thanked Eddie Dean (former Coach) for volunteering. He stated the memories resulted from countless hours exhibited by volunteers.

Jeff Tucker then recognized all the volunteer efforts demonstrated by Gary Wise and presented him with a plaque of recognition for his outstanding service in appreciation of the leadership, dedication, service and investment he has made in the youth of Madison County, Virginia, as the Commissioner of the Madison Youth Football Program.

Gary Wise stated that he is stepping down as the Commissioner of the Madison Youth Football Program due to other commitments – he stated that he wants to continue to be an intricate part of the youth sports program. In closing, he stated if the youth sports program can continue to support and encourage the youth of Madison County, this will make our community better – he also appreciated the support of all those who have worked with him over the years.

**IN RE: PUBLIC COMMENT**

Chairman, Eddie Dean then opened the floor for public comment not dealing with the Six Year Road Plan, and there was none.

**IN RE: SIX YEAR ROAD IMPROVEMENT PLAN (Public Hearing)**

Chairman, Eddie Dean opened the floor for comment on the Six Year Road Improvement Plan for Madison County, Virginia.

Chairman, Eddie Dean stated there has been a significant decrease in roadway funds over the past several months (about half).

Larry Walker of 102 Wright's Lane in Radiant, Virginia was present and verbalized concerns that Route 700 will only be partially paved; he advised the residents have been informed the roadway will only be paved from Route 230 to the dead-end – within the last month, this was changed and they were informed the roadway will only be paved from Route 230 to the end of the new development. He stated there are fifteen (15) hours beyond the end of the new development and two (2) dangerous curves – he suggested either the entire roadway be paved or none at all, and that safety work be implemented on the two (2) curves.

James L. Arrington questioned the new development and the fact that paving will only be done to that specified point.

Nan Coppedge of Duet Road in Etlan, Virginia was present; she advised that she has attended every Public Hearing on the Six Year Road Plan. She stated that Route 642 has been included in the Six Year Road Improvement Plan since the mid 90's and has been number 1 on the list for a short while; she also stated that since it appears funding will always be an issue, she suggested that improvements to Route 642 be broken into smaller portions and also questioned improvements on Wright's Lane.

Brenda Ryder of 1319 Wright's Lane was present and stated that several residents are present tonight to verbalize there is much controversy with their road; she concurred with comments made by Larry Walker with regard to only a portion of the roadway considered for pavement. She stated that she conversed with Mr. Donald Gore and was advised the small part had been on the agenda before the "high dollar" homes were constructed. She also stated additional concerns as to why the roadway wasn't covered before the new homes were constructed – she also feels the entire roadway should be done or none at all – "don't do for some if you cannot do for all" and almost like discrimination. In closing, she commented on the dangerous curves, the lack of a turnaround point for the school bus, and strongly suggested the entire roadway be done as soon as sufficient funding is available and not just a little portion – "this is just not right."

Tom Merlo of Wright's Lane was present and verbalized support of the effort to have Route 700 paved; he stated he clearly understands the limitation of funding in the roadway program in the State of Virginia. He stated by looking at the events on the local news with regard to roadway funding can provide all with a feel of the problems the

Virginia Department of Transportation and the Madison County Board of Supervisors are faced with. Additionally, he stated the term “six year road plan” shouldn’t be used as most projects aren’t completed within a six-year limit, as some citizens wait almost twenty (20) years for something to be done to their road(s). He strongly suggested the Virginia Department of Transportation and the Madison County Board of Supervisors use the best business practice possible as how best to prioritize what improvements need to be made, determine what criteria to utilize, investigate traffic volume on the roads as well as the number of houses per mile on a roadway, and also determine how many houses are closer to the roadway than others. He stated his house doesn’t have to travel long on the dirt road to get to his house and his house sits back further from the roadway; therefore, he doesn’t have the direct impact of the dust that is kicked up when cars pass; however, there are some neighbors who cannot open their windows in the springtime because of the roadway dust and whose children are enveloped in a cloud of dust when the school bus pulls away. Furthermore, he mentioned safety issues and the importance of the fact that as the Six Year Road Improvement Plan is being addressed, emphasis should be put into looking at the roadways that are already included in the plan and utilize the best possible criteria in which to put the most dollars into the roadways that will pose the biggest problems in time.

Craig Heath of 204 Wright’s Lane was present and stated that his home sits very close to the roadway and he can’t open his windows; he stated he is in favor of paving the entire roadway; he stated the road is plowed each time it rains, there are safety issues on the roadway (dangerous curves), the hill floods out after every rain, and these areas need to be repaired before anything else can be done. Additionally, he stated that attempts made by the Virginia Department of Transportation to control the dust is not effective.

Nowell Tobey of 66 Wright’s Lane was present and asked if anything will be done to improve Wright’s Lane to address the sharp turns; he also asked if anything will be done or not.

Warren Shifflett was present and stated he has resided on Wright’s Lane for many years – he stated it has been about eight (8) years since he was told the road had been denoted on the Six Year Road Improvement Plan; he feels instead of coming each



month to plow and control dust, the funding to pay for these services could've been put into repairing the road after all this time. Additionally, the grass along the highways isn't being cut – also feels that tar and gravel would be an asset to Wright's Lane and cost less than what is expected to asphalt the roadway. He feels the County has wasted money (taxpayer's dollars) building football fields when the funding could've been used in other areas.

Donald Gore of the Virginia Department of Transportation was present and stated that he was in agreement with the comments having been made by the residents on Wright's Lane; however, he stated that in 2001, the Virginia Department of Transportation cautioned localities to stick with the Six Year Road Improvement Plan as some localities had ten-twelve (10-12) year plans. He also explained the criteria behind the development of the Six Year Road Improvement Plan and advised that a Public Hearing was held in February 2008 in order to attain input from the citizens as to which roadways they felt should be added to the new road plan.

Donald Gore stated that existing funding for secondary roads has been cut by about forty-four percent (44%). Additionally, he stated there are guidelines that must be followed and commented on funding for paving place and rural rustic; however, pavement used for these times of projects is narrow and citizens complain about the width – although there are some roadway that can accommodate the process very well.

Donald Gore also advised that finished projects are deleted from the Six Year Road Improvement Plan after one full cycle. He also explained criteria used to reincorporate roads back into the plan that were removed due and added to the master plan – this practice will continue unless otherwise noted by the Madison County Board of Supervisors. He also stated that Route 642 (followed by Route 662, Route 680, Route 695, federal aide project, Route 721 Bridge) is the first priority road on the existing Six Year Road Improvement Plan and provided an overview of the work done in order to prepare for improvements. He also advised that standards for federal aide roadways are much higher; also advised that improvements are complete on Route 603 as is Route.

Donald Gore stated that Wright's Lane is #9 on the existing Six Year Road Plan; he also advised that he had identified some funding in another area that could be utilized to improve Wright's Lane as a start – he stated there isn't sufficient

funding to improve the entire roadway and it will probably be close to 2014 before the entire roadway can be paved. Additionally, he stated that no roadways will be moved in front of others listed on the plan and the plan will continue to be followed as denoted.

Donald Gore stated the Virginia Department of Transportation doesn't receive any of a localities real estate or personal property tax funding – only gas tax, fees from license plates and a portion of funds received from driver's license renewals.

Donald Gore proceeded to denote information contained in the existing Six Year Road Improvement Plan and amounts of funding that can be utilized on other improvements if not depleted. He also provided an overview of previous funding, partial paving, right-of-way dedication(s), traffic calming, future budget items, plant mix (from district) and future county-wide traffic services (i.e. signs and maintenance on secondary roadways); county-wide right-of-way opportunity(ies), traffic calming (i.e. circles), and future unpaved road funds which is figured back into any initial projects. etc., and denoted the significant reduction that is now in place.

Donald Gore further indicated that a petition was signed by the residents of Wright's Lane and denoted either all of Wright's Lane be paved or none at all; therefore, the funding that he had identified which could've been utilized to make improvements to Wright's Lane was removed and used elsewhere.

Donald Gore stated the Six Year Road Improvement Plan and Budget can be adopted at tonight's Public Hearing as presented; however, the Board is only required to approve the Six Year Road Improvement Plan every two (2) years – since the plan was approved last year, tonight's adoption can be held off for another year; however, he advised that he would prefer both documents be adopted tonight.

Additionally, he suggested the Board look closely at the plan and make any changes at next year's Public Hearing with regard to priority; however, no roadway projects can be added to the Six Year Road Improvement Plan without funding.

Clark Powers asked if there was any way to attain partial paving of Wright's Lane, to which Donald Gore stated cannot be attained from the existing Six Year Road Improvement Plan, as there is no available funding to accommodate any improvements.

Donald Gore stated he had previously identified some funding that if not utilized, may have been lost; therefore, he thought about using these funds to make

improvement to part of Wright's Lane. He also stated the new housing development on Wright's Lane was in no way used to determine which portion of the roadway would be improved first.

Donald Gore further advised the situation in the past evolved from roads being added to the Six Year Road Improvement Plan and there wasn't sufficient funding to accommodate all the improvements that were required. With that in mind, the Virginia Department of Transportation decided not to recreate past problems and therefore, have requested that unless there is some type of funding for any type of project, the specific road(s) cannot be added to the existing plan.

James L. Arrington asked about the proposal to re-deck the bridge on Route 721 isn't in such bad shape; therefore, he asked if that funding can be reallocated to another roadway that has a safety problem, to which Donald Gore stated that federal funding can only be spent on designated federal projects (i.e. bridge or federal road) but not for paving any roadway.

Clark Powers asked if a combination of crush stone and salt can be used on Wright's Lane in an attempt to better control the dust.

Donald Gore stated that a contract for dust control has been in place and consists of two (2) applications annually; however, he was unsure if anymore stone would be placed on the road as this is maintenance control only.

James L. Arrington stated that Route 700 and Route 706 need to be incorporated into the Six Year Road Improvement Plan sometime in the near future; therefore, he asked how this can be accomplished.

Donald Gore reiterated there must be available funding in order to incorporate these roadways into the plan – this can only be accomplished should the Board make changes to the roadway budget allocated for Madison County (i.e. changing the initial order that is currently in place).

Chairman, Eddie Dean asked if a fly-over was done on Route 614 (federal project), to which Donald Gore advised the plan will require a fly-over – this will have to be denoted as a full plan job (C-Plan)

Chairman, Eddie Dean asked if Route 614 will remain on the plan with the same type of funding although the project has been shortened, to which Donald Gore

stated it will take close to \$400,000.00 to design the plan and an additional \$1.3 to \$1.4 million to perform the work for the intersection only.

In closing, Donald Gore stated that Route 706 was on the original plan; however due to funding reductions, it was moved off but can be reinstated as funding becomes available, unless the Board would like to make adjustments to next year's plan.

Chairman, Eddie Dean advised that a special session on transportation funding will be taking place in the legislation and asked if there was any chance of special funding being awarded.

Donald Gore stated there is currently much opposition from the opposing party regarding the initial plan – he believes some funding will be awarded, although he is unsure as to the exact amount. He stated the top priority is safety, then maintenance and whatever is left over is awarded for construction purposes.

James L. Arrington suggested the Board review all work that needs to be done on specific roadways in the coming year and see if Route 706 can be reincorporated into the plan.

After discussion, on motion of William L. Crigler, seconded by Bob Miller, the Board approved the 2009 Six Year Road Improvement Plan and Budget for Madison County, with the following vote recorded:

|                    |     |
|--------------------|-----|
| Eddie Dean         | Aye |
| James L. Arrington | Aye |
| William L. Crigler | Aye |
| Bob Miller         | Aye |
| Clark Powers       | Aye |

**IN RE: OBERSHAIN REQUEST (Legal Counsel for Erik Weaver)**

V. R. Shackelford, III, County Attorney, read a letter that he received from Mark D. Obenshain, Attorney @ Law, with regard to being designated as legal counsel for Sheriff, Erik Weaver at a rate of \$250.00 per hour.

After discussion, on motion of James L. Arrington, seconded by William L. Crigler, the Board voted to deny the aforementioned request as submitted by legal counsel, with the following vote recorded:

|                    |     |
|--------------------|-----|
| Eddie Dean         | Aye |
| James L. Arrington | Aye |
| William L. Crigler | Aye |

|              |     |
|--------------|-----|
| Bob Miller   | Aye |
| Clark Powers | Aye |

With no further action being required by the Board, on motion of James L. Arrington, seconded by Clark Powers, Chairman, Eddie Dean continued the meeting to Wednesday, May 14, 2008 at 10:00 a.m. at the Thrift Road Complex to discuss budgetary issues, with the following vote recorded:

|                    |     |
|--------------------|-----|
| Eddie Dean         | Aye |
| James L. Arrington | Aye |
| William L. Crigler | Aye |
| Bob Miller         | Aye |
| Clark Powers       | Aye |

Date: May 14, 2008